

**INSPECTIONS AND STUDIES
OF
RECORDS MANAGEMENT IN FEDERAL AGENCIES
March 28, 2003 (revised June 13, 2003)**

The National Archives and Records Administration (NARA) will use records management inspections and studies as tools to ensure that:

- (1) Federal agencies economically and effectively create and manage their records to meet their agencies' business needs;
- (2) Records, regardless of format, are kept long enough to protect rights, assure accountability, and document the national experience; and
- (3) Records, regardless of format, are destroyed when they are no longer needed and it is practical to do so.

NARA will undertake inspections when an agency, or a series of agencies in a specific line of business, refuse to address high-level records management risks or specific problems identified through NARA's risk-based resource allocation model or other means such as Government reports or the media. NARA will first offer to work with the agency or agencies under a Targeted Assistance agreement. NARA will conduct an inspection if an agency (or group of agencies in a line of business) refuses Targeted Assistance from NARA or fails to mitigate or otherwise effectively deal with known risks to Federal records that protect rights, assure accountability, or document the national experience.

NARA will undertake records management studies when it believes an agency or a series of agencies in a specific line of business are utilizing records management practices that could benefit the rest of a specific line of business or the Federal government as a whole.

Inspections: General Description and Goals

Records management inspections will focus on the economical and effective management of records in a specific agency or in a number of agencies in a specific line of business. Inspections will identify risks to specific types of records and offer recommendations for mitigating the risks and improving records management practices. The process will involve reviewing specific functions to determine if sufficient records supporting those functions are properly created and maintained, appropriately scheduled, and either destroyed or transferred to the National Archives in accordance with approved schedules. As stated above, inspections will be undertaken when most other NARA tools (e.g., Targeted Assistance, standard and tailored training, certification, advocacy) have failed to mitigate the risk to records AND when the risk to records is deemed high. The goal of inspections is to identify and mitigate situations where there is a high-risk of loss of records. NARA anticipates undertaking inspections only under exceptional circumstances.

Records Management Studies: General Description and Goals

Records management studies will focus on cross-Government issues and will be undertaken to identify and analyze best practices and develop Government-wide recommendations and guidance. Studies will usually involve multiple agencies within a related line of business or function. In exceptional cases, there might be one agency whose records management practices could be replicated elsewhere for Government-wide benefit. The goal of records management studies is to identify, analyze, and act on records management best practices. NARA management will determine when the substantial effort required for a full-blown records management study will likely result in benefits that justify the use of scarce resources. As with inspections, NARA anticipates undertaking records management studies only under exceptional circumstances.

I. SCOPE AND FOCUS

Ia. Determining Focus and Scope of an Inspection

NARA management will use a risk-based resource allocation methodology or the knowledge of a clear and egregious records management problem in an agency or line of business to determine when to undertake an inspection. Inspections will identify for agency personnel specific risks that adversely impact their records management and their business processes. NARA will provide the inspected agencies with specific recommendations to mitigate or eliminate risks. The inspected agencies will improve their records management practices by implementing the recommendations

The methodology will focus on records in a specific agency or work process area that are at risk and involve:

- Direct and high impact on the rights of citizens or other key stakeholders.
- High-profile litigation or congressional attention.
- Large volume of permanent records, regardless of format.
- Large volume of records that have high researcher interest.
- Widespread media coverage of the work process.

The methodology will also account for the following records management subject areas:

- Records creation
- Records maintenance
- Completeness of scheduling
- Schedule implementation
- Vital records

Ib. Determining Focus and Scope of a Records Management Study

NARA management will gather information on records management best practices and publicize these best practices through records management training and other outreach

activities. In some cases, NARA may decide to undertake a study of evolving records management practices to validate the effectiveness of the practices and suggest ways to further their development to support the business needs of the Federal Government. Because these types of studies will likely be resource intensive, NARA will devise a simple methodology to determine when it makes the best sense to conduct the studies.

Consistent with current statute and the goals of the Records Management Initiatives (RMI), records management studies may include:

- Practices surrounding categories of records affected by new or proposed NARA guidance. Examples include email, records management applications (RMAs), electronic records formats, and E-Government initiatives. Such studies could identify:
 - Implementation strategies.
 - Best practices and lessons learned.
- Records documenting a line of business identified as critical because of its historic impact, widespread media coverage, high-profile litigation, or other significant factor. Such records management studies may result in:
 - Recommending how these records can best be managed.
 - Identifying or actually developing special guidance for the specific situation.
 - Heightening agency awareness of special considerations in managing these records.
- Broad categories of records relating to the Government's ability to operate under rapidly changing circumstances. An example of this is the increased emphasis on vital records programs in the aftermath of 9/11.

II. SELECTION OF AN AGENCY OR LINE OF BUSINESS FOR RECORDS MANAGEMENT INSPECTION OR STUDY

Even though inspections and studies have negative and positive connotations, respectively, NARA will use either of these tools based on one or more of the following:

- Standardized rating system formulated by NARA's agency and subject-area experts that assesses (studies and inspections):
 - Risk to records
 - Impact on legal rights and Government accountability
 - Volume and management of permanent records
- Agency request (studies and inspections)
- Receipt of allegations of unauthorized disposition (inspections)
- Informal discussions with agency records officers or program officials (studies or inspections)
- Media reports of records-related events (studies or inspections)
- Observations made by NARA's agency or subject-area experts (studies or inspections)

- Whistleblower allegations (inspections)
- Reviewing reports issued by the General Accounting Office (GAO), an Inspector General (IG), or other audit or investigative organizations (studies or inspections)

III. PROCEDURES FOR INSPECTIONS AND STUDIES

Once NARA has defined the scope and identified the functions and/or agencies to be involved, it will take the following steps in conducting an inspection or records management study.

1. Agency Notification

The Archivist will notify the agency head(s) of the coming inspection or records management study. The notification letter will cite 44 U.S.C., Chapter 29 and 36 CFR 1220, Subpart C as NARA's authority for conducting the inspection or study. NARA will also send copies of the letter to the agency's congressional oversight committee and to OMB. In extreme and rare cases NARA might also use its statutory authority to revoke an agency's disposition authority.

If an agency does not agree to cooperate, the Archivist or other high-level NARA official will discuss the matter with the appropriate high-level agency official. The NARA official will explain the process, discuss agency concerns, and answer questions about the inspection or study.

If an agency still declines to cooperate, NARA will use its statutory authority under 44 U.S.C. 2904(c)(8) and 36 CFR 1220.16 to report the matter to Congress and OMB.

2. Forming Teams for Inspections or Studies

NARA teams will conduct inspections and records management studies. The teams will consist of agency and subject-area experts drawn from the headquarters and regional staffs, as well as from other NARA units as required. With input from headquarters and field units, NARA's Director of Modern Records Programs will determine the team leader. Except in extraordinary circumstances, the team leader will be someone other than the agency expert who has generally worked closely with the agency and its staff.

If the agencies or major components of the line of business are located primarily in the Washington, DC, area, a staff member from NARA's Life Cycle Management Division will usually lead the team. If the agencies or major components are located primarily outside the Washington area, a staff member from NARA's Office of Regional Records Services will generally lead the team.

3. The Process for Inspections or Studies

After the team is assembled, it will visit appropriate agencies and offices, collect information, and examine records. Under the team leader's direction, the team will:

- Gather background information about the agency or the business process;
- Develop standardized questions to ensure the collection of comparable data from all offices visited;
- Make logistical arrangements; and
- Ensure the efficient collection of information and the timely completion of the inspection or records management study.

4. Analysis of Collected Information

Once the team has completed all its visits, it will analyze the information collected, identify issues to be addressed, and recommend specific steps for corrective action by the agency. It will then write a formal report that discusses the issues and includes recommendations to be sent to the agency for response and action. In accordance with 36 CFR 1220.60(b), the report may also be sent to Congress and to OMB.

5. Inspection and Study Follow-up

5a. Inspections

In accordance with NARA's requirements, agencies will report on their progress in resolving the problems identified during the inspection. Although 36 CFR 1220.58 currently specifies reporting periods, it may be more productive and efficient for agencies to inform NARA as soon as they take particular actions recommended in the inspection report.

5b. Studies

As a result of the findings, NARA may consider developing:

- New or revised regulations;
- New or revised guidance;
- New or revised training; and
- Best practices recommendations for dissemination.

IV. RESULTS MEASUREMENTS

Inspections

Within six months of issuance and transmittal, inspected agencies will have implemented at least 50 % of NARA's recommendations to mitigate risk to high-risk records.

Within 12 months of issuance and transmittal, inspected agencies will have implemented at least 75 % of NARA's recommendations to mitigate risk to high-risk records.

Within 18 months of issuance and transmittal, inspected agencies will have implemented at least 90 % of NARA's recommendations to mitigate risk to high-risk records.

Studies

50% of recommendations from records management studies will have been incorporated into NARA guidance, regulation, or training within six months of publication.

90% of recommendations from records management studies will have been incorporated into NARA guidance, regulation, or training within 12 months of publication.